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Hance Haney
Executive Director-Federal Relations

September 29C, 2003

EX PARTE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WC Docket No. 03-194 – Application by Qwest Communications International Inc. for Authority to Provide In-Region InterLATA Services in the State of Arizona

Dear Ms. Dortch:

Qwest Communications International Inc. ("Qwest") submits this filing at the request of the Department of Justice to clarify its policy with respect to constructing DS1 loop facilities.

On April 30, 2003 (with an effective date of June 16, 2003), Qwest clarified to CLECs its policy of not constructing DS1 loops out of spare copper facilities not capable of supporting DS1 service without modification unless the requesting CLEC agreed to pay construction charges pursuant to the special construction provisions contained in SGAT § 9.1.2. It is Qwest's understanding that, prior to June 16, CLECs were not always charged for such construction, which apparently is why Qwest's June 16 clarification was viewed as a policy change by some.

In response to concerns raised by CLECs regarding this issue, Qwest on August 20, 2003, issued a General Notification indicating that it would not adhere to its clarification statement that became effective on June 16.¹ This decision, which was documented in Qwest's August 20 General Notification, also was described in Qwest's Application in this proceeding.²

Qwest's August 20 General Notification has since been modified to clarify for CLECs those areas in which additional questions and concerns have been raised.³ Nevertheless, to be

¹ A copy of Qwest's August 20 General Notification is attached hereto as Attachment A.


² See Declaration of William M. Campbell, Unbundled Loops, at ¶ 55; Declaration of Karen A. Stewart and Lori A. Simpson, Access to UNEs, at ¶ 22.

³ The most recent revised version of the August 20 General Notification was issued on September 18, 2003, and is attached hereto as Attachment B.

clear, Qwest's current DS1 loop construction policy is materially the same as the policy that had been applied to CLECs before June 16.⁴

The 20 page limit does not apply to this filing. Please contact the undersigned if you have any questions concerning this submission.

Respectfully submitted,

A handwritten signature in black ink that reads "Hance Haney". The signature is written in a cursive, slightly slanted style.

Hance Haney

cc: A. Goldberger
G. Remondino
J. Myles
R. Harsch
M. Scott

⁴ Qwest may update and/or modify its construction policies, including charges applicable to CLEC service requests, based on the requirements in the FCC's *Triennial Review Order* and other relevant considerations.